

CERTIFIED FOR PUBLICATION
COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION ONE
STATE OF CALIFORNIA

In re CARL R., Jr., a Person Coming Under
the Juvenile Court Law.

SAN DIEGO COUNTY HEALTH AND
HUMAN SERVICES AGENCY,

Plaintiff and Respondent,

v.

RENNE B., et al.,

Defendants and Appellants,

CARL R., Jr.,

Appellant.

D044674

(Super. Ct. No. J511373F)

ORDER MODIFYING OPINION AND
DENYING REHEARING

[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed April 28, 2005, and reported in the Official Reports (128 Cal.App.4th 1051), be modified as follows:

On page 617, footnote 5, the entire text is deleted and the following text is inserted in its place:

On June 1, 2004, the court declared Carl's May 2004 section 388 petition moot. Carl's counsel requested permission to file a new section 388 petition "depending on the .26 ruling." The court indicated that counsel would be allowed to file a new section 388 petition once the section 366.26 hearing had concluded."

The petition for rehearing is denied.

There is no change in the judgment.

BENKE, Acting P. J.